

Appl. No. 09/991,209

### IN THE CLAIMS

The claims as currently presented and under consideration, are presented below.

Claims 1 - 2. (Cancelled)

3. (Currently amended): A transgenic plant comprising an expression cassette comprising a promoter operably linked to an ~~Aspergillus niger ferulic acid esterase FAE1 encoding polynucleotide~~ a polynucleotide encoding a ferulic acid esterase having the sequence of SEQ ID NO: 2 and a signal sequence that targets expression of the ferulic acid esterase to the endoplasmic reticulum, vacuole, apoplast or golgi apparatus, wherein the transgenic plant is selected from the group consisting of Festuca, Lolium, Sorghum, Zea, Triticum, Avena and Poa and said transgenic plant expresses the ferulic acid esterase having ferulic acid esterase activity.

Claims 4 and 5 (Cancelled)

6. (Original): The plant of claim 3, wherein the polynucleotide further comprises a polynucleotide that encodes CTWPVAAA (SEQ ID NO: 93) at the 3' end.

7. (Original): The plant of claim 3 wherein sub-optimal codons are modified to *Triticum spp.* preferred codons.

8. (Previously presented): The plant of claim 3, wherein the expression cassette is introduced into the plant by sexual reproduction.

9. (Previously presented): The plant of claim 3, wherein the promoter is an inducible promoter.

10. (Original): The plant of claim 9, wherein the promoter is a senescence promoter.

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11. (Original): The plant of claim 9, wherein the promoter is a heat shock promoter.

12. (Previously presented): The plant of claim 3, wherein the promoter is a constitutive promoter.

13. (Cancelled)

14. (Previously presented): The plant of claim 3, wherein the signal sequence is upstream of the 5' end of the ferulic acid esterase encoding polynucleotide.

15. (Previously presented): The plant of claim 14, wherein the signal sequence is derived from the signal sequence of a vacuolar targeted gene.

Claims 16 - 17. (Cancelled)

18. (Previously presented): The plant of claim 15, wherein the signal sequence is derived from the signal sequence of a vacuolar targeted senescence gene.

19. (Previously presented): The plant of claim 18, wherein the signal sequence is a *Lolium See1* signal sequence.

Claims 20 – 22. (Cancelled)

23. (Previously presented): The plant of claim 3, wherein the signal sequence is from *Aspergillus niger* ferulic acid esterase.

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Claim 24. (Cancelled)

25. (Previously presented): The plant of claim 3, wherein the signal sequence is downstream of the 3' end of the ferulic acid esterase encoding polynucleotide.

Claim 26. (Cancelled)

27. (Previously presented): The plant of claim 25, wherein the polynucleotide sequence further comprises a stop codon.

28. (Previously presented): The plant of claim 25, wherein the polynucleotide sequence further comprises an extension of the ferulic acid esterase reading frame to provide a linker to KDEL (SEQ ID NO: 97).

29. (Previously presented): The plant of claim 3 further comprising a second expression cassette comprising a promoter operably linked to a xylanase encoding polynucleotide.

30. (Original): The plant of claim 29, wherein the xylanase encoding polynucleotide is from *Trichoderma reesei*.

31. (Original): The plant of claim 29, wherein the first and second expression cassettes are present on separate plasmids.

32. (Previously presented): The transgenic plant of claim 3, wherein the plant is selected from the group consisting of *Festuca*, *Lolium*, *Zea* and *Avena*.

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33. (Original): The transgenic plant of claim 32, wherein the plant is a *Festuca* plant.

Claims 34 - 74. (Cancelled)

75. (Currently amended): A transgenic plant comprising an expression cassette including an inducible or tissue specific plant promoter operably linked to an ~~*Aspergillus-niger* ferulic acid esterase~~ FAE1 encoding a polynucleotide encoding a ferulic acid esterase having the sequence of SEQ ID NO: 2.

wherein the transgenic plant expresses the ferulic acid esterase having ferulic acid esterase activity and

wherein said transgenic plant is selected from the genera consisting of *Festuca*, *Lolium*, *Zea*, and *Avena*.

76. (Canceled)

77. (Previously presented): The transgenic plant of claim 75, wherein said plant is a *Festuca* plant.

78. (Previously presented): The transgenic plant of claim 75, wherein said plant is a *Lolium* plant.

79. (Previously presented): The transgenic plant of claim 75 further comprising an exogenous xylanase gene.

80. (Previously presented): The transgenic plant of claim 3, wherein the plant is a *Lolium* plant.

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81. (Previously presented): The transgenic plant of claim 3, wherein the plant is a *Zea* plant.

82. (Previously presented): The transgenic plant of claim 81, wherein the *Zea* plant is *Zea mays*.

83. (Previously presented): The transgenic plant of claim 3, wherein the plant is an *Avena* plant.

84. (New): A transgenic plant comprising an expression cassette comprising a promoter operably linked to a polynucleotide encoding an *Aspergillus* ferulic acid esterase and a signal sequence that targets expression of the ferulic acid esterase to the endoplasmic reticulum, vacuole, or apoplast,

wherein the transgenic plant is selected from the group consisting of *Festuca*, *Lolium*, *Sorghum*, *Zea*, *Triticum*, *Avena* and *Poa* and said transgenic plant expresses the ferulic acid esterase having ferulic acid esterase activity.

85. (New): The plant of claim 84, wherein the ferulic acid esterase is derived from *Aspergillus niger*.

86. (New): The plant of claim 84, wherein the polynucleotide further comprises a polynucleotide that encodes CTWPVAAA (SEQ ID NO: 93) at the 3' end.

87. (New): The plant of claim 84, wherein sub-optimal codons are modified to *Triticum spp.* preferred codons.

88. (New): The plant of claim 84, wherein the signal sequence is derived from the signal sequence of a vacuolar targeted gene.

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89. (New): The plant of claim 84, wherein the signal sequence is a *Lolium* See1 signal sequence.

90. (New): The plant of claim 84, wherein the polynucleotide further comprises an extension of the ferulic acid esterase reading frame to provide a linker to KDEL (SEQ ID NO: 97).

91. (New): The plant of claim 84 further comprising a second expression cassette comprising a promoter operably linked to a xylanase encoding polynucleotide.

92. (New) The plant of claim 84 further comprising an exogenous xylanase gene.